

The City Council of the City of Seabrook met in regular session on Tuesday, February 2, 2016 at 7:00 p.m. in Seabrook City Hall, 1700 First Street, Seabrook, Texas to discuss, consider and if appropriate, take action on the items listed below.

THOSE PRESENT WERE:

GLENN R. ROYAL	MAYOR
ROBERT LLORENTE	COUNCIL PLACE NO. 1
MIKE GIANGROSSO	COUNCIL PLACE NO. 2
GARY JOHNSON	MAYOR PRO TEM &
	COUNCIL PLACE NO. 3
MELISSA BOTKIN	COUNCIL PLACE NO. 4
GLENNA ADOVASIO – Ex. Abs.	COUNCIL PLACE NO. 5
O.J. MILLER	COUNCIL PLACE NO. 6
GAYLE COOK	CITY MANAGER
SEAN LANDIS	ASSISTANT CITY MANAGER
STEVE WEATHERED	CITY ATTORNEY
ROBIN HICKS	CITY SECRETARY

Mayor Royal called the meeting to order at 7:00 p.m. and led the audience in the United States and Texas Pledge of Allegiance.

1.0 PUBLIC COMMENTS AND ANNOUNCEMENTS

No speakers came forward during the Public Comments and Announcements portion of the agenda.

1.1 Mayor, City Council and/or members of the city staff may make announcements about city/community events. (Council)

Councilor Giangrosso announced several upcoming events, including the Christmas Boat Parade and the Men Who Cook event.

2.0 EXECUTIVE SESSION

At 7:02 p.m. Mayor Royal announced that the City Council will now hold a closed executive meeting pursuant to the provisions of the Open Meetings Act, Chapter 551 Government Code, and Vernon's Texas Codes Annotated, in accordance with the authority contained in Sections 551.071 and 551.072, Consultation with an Attorney and Deliberation Regarding Real Property.

Sections 551.071 and 551.072

2.1 Consult with City Attorney regarding legal issues and discuss the purchase, lease, or exchange of real property in closed session due to potential detrimental effect on City in negotiations with third party if conducted in open session, as provided by Sections 551.071 and 551.072 of the Texas Government Code. (Cook)

Section 551.071

- 2.2** Consult with City Attorney to receive legal advice only regarding legal issues related to recently adopted statutes concerning regulation of firearms, as provided by Section 551.071, Texas Government Code. (Cook)

3.0 OPEN MEETING

At 7:36 p.m. Mayor Royal reconvened the meeting in open session and stated that items 2.1 and 2.2 had been discussed, but that no action had been taken in executive session.

No action taken was taken in open meeting on the executive session items.

4.0 CONSENT AGENDA

- 4.1** This item was pulled from the Consent Agenda by the Mayor.

- 4.2** Approve quarterly Investment Report for 1st quarter of 2015-16 as required by the Public Funds Investment Act. (Gibbs)

- 4.3** Approve a special event permit for a Family Fun Run sponsored by the Church of Jesus Christ of Latter Day Saints to be held on Saturday, February 27, 2016, from 9:00 a.m. until 10:30 a.m. at Meador Park. The applicant is requesting a waiver of fees. All required documentation has been submitted and approved. (Hicks)

END OF CONSENT AGENDA

Motion was made by Councilmember Giangrosso and seconded by Councilmember Botkin

To approve the Consent Agenda, with the exception of item 4.1 that was pulled by the Mayor

MOTION CARRIED BY UNANIMOUS CONSENT

- 4.1** Approve on second and final reading of Proposed Ordinance 2016-02, "Issuance of Conditional Use Permit to allow a Hotel without a full service restaurant". (Landis)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, APPENDIX A, COMPREHENSIVE ZONING, ARTICLE 12, "TEMPORARY AND NONTEXT CHANGES," SECTION 12.03, "CONDITIONAL USE PERMITS GRANTED", BY ADDING A NEW PARAGRAPH (21) GRANTING A CONDITIONAL USE PERMIT FOR A "HOTEL (WITHOUT FULL SERVICE RESTAURANT)" TO BE LOCATED AT 3000 NASA PARKWAY, WITHIN THE C-2 (COMMERCIAL - MEDIUM) ZONING DISTRICT AND ESTABLISHING ANY APPLICABLE CONDITIONS FOR THE OPERATION OF THE BUSINESS

88 **IN ACCORDANCE WITH LAW; PROVIDING A PENALTY IN AN AMOUNT**
89 **NOT TO EXCEED \$2,000.00 FOR VIOLATION OF ANY PROVISIONS HEREOF**
90 **BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR**
91 **PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith;**
92 **AND PROVIDING FOR SEVERABILITY.**

93
94 Councilmember Johnson recused himself from discussion and voting on this item.

95
96 Motion was made by Councilmember Botkin and seconded by Councilmember Llorente

97
98 To approve on second and final reading of Proposed Ordinance 2016-02, "Issuance of
99 Conditional Use Permit to allow a Hotel without a full service restaurant".

100
101 MOTION CARRIED BY UNANIMOUS CONSENT, WITH COUNCILMEMBER
102 JOHNSON NOT VOTING.

103
104 **5.0 NEW BUSINESS**

105
106 **5.1 Consider approval on first reading of Ordinance 2016-03, Prohibiting Licensed**
107 **Carry of Handguns in Governmental Meetings." (Cook)**

108 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEABROOK,**
109 **TEXAS AMENDING CHAPTER 2 "ADMINISTRATION," ARTICLE I, "IN**
110 **GENERAL," OF THE CODE OF ORDINANCES OF THE CITY OF**
111 **SEABROOK, TEXAS BY ADDING A NEW SECTION 2-3 "PROHIBITION OF**
112 **LICENSED CARRY IN GOVERNMENTAL MEETINGS SUBJECT TO THE**
113 **OPEN MEETINGS ACT"; PROVIDING FOR A PENALTY IN AN AMOUNT OF**
114 **\$500 OR THE MAXIMUM AMOUNT PERMITTED BY LAW FOR VIOLATION**
115 **OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE;**
116 **REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES**
117 **INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR**
118 **SEVERABILITY; AND PROVIDING FOR NOTICE AND EFFECTIVE DATE.**

119 Mayor Royal stated that the Legislature passed a law that allows licensed open carry of
120 handguns as of January 1, 2016. Council has the authority to allow licensed concealed
121 and/or open carry of only handguns at meetings governed by the Texas Open Meetings
122 Act. Council has several options, including prohibiting both open and concealed carry;
123 allowing both open and concealed carry; or prohibiting one type of carry while allowing
124 the other type of carry. All options relate to only handguns and only during public
125 meetings. Regulations for Municipal Court and for City facilities in general are governed
126 by State statutes.

Discussion among Council members ensued regarding open carry versus concealed carry and whether individual members would want both or only one type of carry allowed during public meetings. Gayle Cook, City Manager, explained that staff is in favor of keeping everyone safe and would be in agreement with prohibiting open carry and allowing concealed carry. Because it wasn't clear what the consensus was among Council members, the Mayor took a poll of the members, as follows:

Those in favor of prohibiting licensed open carry in public meetings:

Councilmember Llorente – yay
Councilmember Giangrosso - yay
Councilmember Johnson – yay
Councilmember Botkin – yay
Councilmember Miller – yay
Mayor – yay

Those in favor of prohibiting licensed concealed carry in public meetings:

Councilmember Llorente – yay
Councilmember Giangrosso – nay
Councilmember Johnson – nay
Councilmember Botkin – nay
Councilmember Miller – yay
Mayor – nay

Motion was made by Councilmember Llorente and seconded by Councilmember Johnson

To approve on first reading Ordinance 2016-03, Prohibiting Licensed Carry of Handguns in Governmental Meetings, with an amendment to prohibit open carry and only allow licensed concealed carry in Governmental Meetings.

MOTION CARRIED BY UNANIMOUS CONSENT

5.2 Consider approval on first reading of Ordinance 2016-04, "Revision to Personnel Policy - Prohibiting carry of firearms/Dangerous Weapons Except by Law Enforcement Officers." (Cook)

AN ORDINANCE OF THE CITY OF SEABROOK, TEXAS, AMENDING THE CITY OF SEABROOK "PERSONNEL POLICIES", CHAPTER 7 "BEHAVIOR AND CONDUCT", BY ADDING A NEW SECTION "FIREARMS AND WEAPONS" TO DISALLOW LICESNSED CARRY OF FIREARMS AND WEAPONS BY NON-PEACE OFFICER EMPLOYEES ON CITY PREMISES; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

164 Motion was made by Councilmember Miller and seconded by Councilmember
165 Giangrosso

166 To approve on first reading Ordinance 2016-04, "Revision to Personnel Policy -
167 Prohibiting carry of firearms/Dangerous Weapons Except by Law Enforcement Officers."

168 MOTION CARRIED BY UNANIMOUS CONSENT

169 **5.3 Consider approval on first reading of Ordinance No. 2016-05, "Amendment to the**
170 **Firearms Ordinance." (Cook)**

171 **AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK,**
172 **CHAPTER 44, "LAW ENFORCEMENT AND OFFENSES", ARTICLE III,**
173 **"OFFENSES", DIVISION 1, "GENERALLY" BY AMENDING SECTION 48-78,**
174 **"DISCHARGE OF WEAPONS AND EXCEPTIONS", ADDING A NEW**
175 **SECTION 48-79, "REGULATION OF FIREARMS AND AIRGUNS; PROVIDING**
176 **FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$500 OR THE**
177 **MAXIMUM AMOUNT PERMITTED BY LAW FOR VIOLATION OF ANY**
178 **PROVISIONS HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL**
179 **ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN**
180 **CONFLICT HERewith PROVIDING FOR SEVERABILITY; AND**
181 **PROVIDING FOR NOTICE AND EFFECTIVE DATE.**

182 Motion was made by Councilmember Giangrosso and seconded by Councilmember
183 Johnson

184 To approve on first reading Ordinance No. 2016-05, "Amendment to the Firearms
185 Ordinance."

186 MOTION CARRIED BY UNANIMOUS CONSENT

187 **5.4 Consider Approval on Budget Supplemental Appropriation 2016-01, for Security**
188 **Measures for the City Hall and Municipal Court customer service areas in the**
189 **amount of \$47,000.00. (Cook)**
190

191 Gayle Cook, City Manager, stated this proposal is for fortifying the City Hall upstairs
192 lobby area. There is currently one type of shielding in front of the Municipal Court
193 offices, and the other customer service areas in the Building Department and the Water
194 Department are open, and unshielded. Notice was published for taking bids, and after
195 physically looking at the location, Total Security Solutions submitted a base bid to
196 include all three customer service areas with closed glass and a middle tray, much like
197 many banks now have. The Building Department will have a sliding, hinged door, so
198 plans can pass through. There will be new protective shielding in the doors leading to the
199 Community Development Department and the City Secretary's Office. The counters

underneath the shielding will be ballistic as well, so that the total area is protected. The bid package also includes ballistic material on the dias in the Council Chamber. Because this expenditure was not originally in the budget, Council will need to approve a supplemental appropriation.

Myra Bergeron, Billing Department Supervisor, and Jessica Ancira, Municipal Court Administrator, both expressed to Council that the protective glass is needed for employees to have a sense of safety and to have an opportunity to take appropriate measures in the case of a threat, rather than having to react.

Motion was made by Councilmember Miller and seconded by Councilmember Giangrosso

To approve Budget Supplemental Appropriation 2016-01, for Security Measures for the City Hall and Municipal Court customer service areas in the amount of \$47,000.00.

MOTION CARRIED BY UNANIMOUS CONSENT

5.5 Consider designation of council representative to the Citizens for Space Exploration visit to Washington, D.C. May 24-26, 2016. This is a budgeted item for one representative. (Royal)

Mayor Royal opened the floor for Councilmembers to volunteer or express an interest in attending this trip to Washington in May.

Councilmember Llorente stated he has gone on this trip for the past 3 years and would not mind going again this year.

Motion was made by Councilmember Johnson and seconded by Councilmember Giangrosso

To designate Councilmember Llorente as council representative to the Citizens for Space Exploration visit to Washington, D.C. May 24-26, 2016.

MOTION CARRIED BY UNANIMOUS CONSENT

6.0 ROUTINE BUSINESS

6.1 Approve the Action Items Checklist which is attached and made a part of this agenda. (Council)

Highway 146 – Gayle Cook, City Manager, stated there is nothing official and formal to report at this time. Staff is hearing that the gap in negotiations with Union Pacific is getting smaller. There is no new information from TXDOT. Paul Chavez, Economic Development Director, reports that all businesses have received their letter from TXDOT,

but no face to face meetings have occurred yet. Paul is updating the real estate log daily to help with businesses with relocation options.

Strategic plan – Ms. Cook explained that staff will be working on the official Strategic Plan update for this year, and at this time April 29 has been targeted for an all day strategic planning workshop starting around 8:00 or 8:30 a.m. and wrapping up about 3:30 p.m. Breakfast and lunch will be provided.

Project updates – Ms. Cook stated that staff is continuing to work on the temporary road, the parking lot, and the restroom at the new splash pad. The fiber optics project is almost complete. Ms. Cook will send a link to Council with pictures of the new fire truck in progress. After the bids were rejected on the Public Works facility project, staff and the architect have had many discussions back and forth regarding restructuring of the bid package. Staff is waiting on the architect's recommendations, including change of scope and alternates, and more time for bidders to submit bids of about 4 weeks.

Motion was made by Councilmember Giangrosso and seconded by Councilmember Botkin

To approve the Action Items Checklist

MOTION CARRIED BY UNANIMOUS CONSENT

6.2 Establish future meeting dates and agenda items, including discussion for date for Strategic Planning session. (Council)

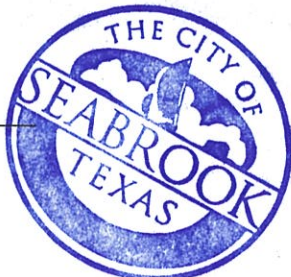
Mayor Royal stated that the Council Strategic Planning Session will be April 29. The joint meeting with the Open Space and Trails Committee will be February 9 at 6:00p.m. The regular meeting on February 16 will begin at 4:00p.m. Councilmembers Johnson and Botkin stated they will be absent on February 16. Approval of issuance of the Certificates of Obligation will be on the February 16 agenda, as well as an update on the Bay Area Convention and Visitors Bureau.

Upon motion duly made and seconded, Mayor Royal adjourned the meeting at 8:27 p.m.

Approved this 1st day of March, 2016.



Robin Hicks, TRMC
City Secretary


Glenn Royal
Mayor